

Message Text

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ORIGIN EB-08

INFO OCT-01 AF-10 ISO-00 COME-00 CIAE-00 DODE-00
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DRAFTED BY EB/TRA/MA:REJOHE:CAB

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TO AMEMBASSY LAGOS

INFO AMEMBASSY ACCRA

AMEMBASSY ABIDJAN

AMEMBASSY LOME

AMCONSUL DOUALA

UNCLAS STATE 163694

E.O. 11652: N/A

TAGS: EWWT, NI

SUBJECT: STRICTER REGULATIONS FOR PORT USE

REF: LAGOS 7419

1. REFTEL RECEIVED CONCURRENTLY WITH LETTER FROM DC REP OF FARRELL LINES, INC., ONE OF THE TWO US-FLAG CARRIERS PROVIDING LINER SERVICE TO WEST AFRICA AND THUS LAGOS. UPON INQUIRY, DELTA LINES (THE OTHER US-FLAG CARRIER) STATED THEY WERE LOOKING INTO THE MATTER. RESULTS OF THEIR INVESTIGATION WILL BE REPORTED TO THE POSTS. FARRELL NOTED THAT A TOTAL OF 20 OF ITS COMBINED FLEET, INCLUDING VESSELS OF ITS RECENTLY-ACQUIRED SUBSIDIARY, UNCLASSIFIED

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AMERICAN EXPORT SERVICES (FORMERLY AMERICAN EXPORT LINES) COULD BE AFFECTED BY THE 15 YEAR DECREE. ENCLOSED WITH LETTER WAS COPY OF NIGERIAN DECREE NO. 9 (CONTAINED ON PAGE A-83 OF SUPPLEMENT TO OFFICIAL GAZETTE NO.24, VOL.65, 25 MAY 1978 - PART A) WHICH SUBSTANTIATES FACTS PARA 1 REFTEL. FYI: FARRELL'S FEARS REGARDING INVOCATION OF DECREE ARE NORMAL IN THAT NO CARRIER WANTS ITS FLEXIBILITY

OF SHIP ASSIGNMENT IMPAIRED. THUS, THEY OPPOSE A RULE THAT WOULD REQUIRE CERTAIN SHIPS TO BE WHOLLY DEVOTED TO A TRADE ROUTE AS WOULD BE THE CASE IF THE NIGERIAN DECREE IS INVOKED. THE 20 VESSELS NOTED ARE THOSE

SUITABLE FOR THE AFRICAN TRADE (BASICALLY C-4 HULLS) THAT AT ONE TIME OR ANOTHER COULD BE ASSIGNED TO THAT TRADE. END FYI.

2. FYI: SAUDI ARABIA ANNOUNCED A SIMILAR 15 YEAR DECREE IN DECEMBER, 1976 AFTER HAVING A BAD EXPERIENCE WITH A NON-US VESSEL THAT BROKE DOWN IN JIDDA HARBOR AND EVENTUALLY HAD TO BE TOWED BY THE PORT AUTHORITIES TO SEA AND SUNK. HOWEVER, SHORTLY AFTER THIS INCIDENT, AND IN POSSIBLY CALMER MOMENTS, THE SA PORTS AUTHORITY COMMENCED GRANTING EXEMPTIONS TO VESSELS OVER 15 YEARS OF AGE WHICH HAD CERTIFICATES FROM RECOGNIZED CLASSIFICATION SOCIETIES. END FYI.

3. INVOCATION OF PROPOSED NIGERIAN DECREE NO. 9 WOULD DEFINITELY CONFRONT FARRELL WITH A MAJOR PROBLEM IN ITS SERVICE TO NIGERIA. THE LOGIC BEHIND A UNILATERAL 15 YEAR RULE IS SUSPECT BECAUSE A 15 YEAR OLD VESSEL IS NOT PER SE UNFIT FOR SERVICE.

4. ACTION REQUESTED: REQUEST CONVEY THRUST OF FARRELL'S UNCLASSIFIED

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PROBLEM TO PROPER AUTHORITIES ALONG WITH INITIAL TACTIC OF HAVING PROPOSED DECREE REVOKED. IF THE LATTER IS NOT POSSIBLE, THEN CAMPAIGN FOR A MODIFICATION ALONG THE LINES OF WHAT THE SA PORTS AUTHORITY DID. AS YOU ARE PROBABLY AWARE, FARRELL HAS A SOLID REPUTATION AMONG US-FLAG CARRIERS AND IS APPRECIATIVE OF ANY ASSISTANCE EMBASSY CAN RENDER TO RESOLVE THIS POTENTIALLY DISRUPTIVE REGULATION. VANCE

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Status: NATIVE

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TAGS: EWWT, NI

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